

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Dennis M. Cavanaugh
: Crim. No. 07-324 (DMC)
v. :
: CONTINUANCE ORDER
KYLEAMIN MARTIN :
: :
:

This matter having come before the Court on the joint application of Christopher J. Christie, United States Attorney for the District of New Jersey (by David E. Malagold, Assistant U.S. Attorney), and defendant Kyleamin Martin (by Patrick McMahon, Esq.) for an order granting a continuance of the proceedings in the above-captioned matter, and the defendant being aware that he has the right to have the matter brought to trial within 70 days of the date of the indictment pursuant to Title 18 of the United States Code, Section 3161(c)(1), and as the defendant has requested and consented to such a continuance, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

- i. Plea negotiations regarding a possible disposition are currently in progress, and both the United States and the defendant desire additional time to meet and confer regarding a disposition, which would render trial of this matter unnecessary and

save judicial resources;

- ii. Should plea negotiations not result in a disposition, counsel for the defendant will need additional time to review discovery materials, file motions and prepare for trial.
- iii. Pursuant to Title 18 of the United States Code, Section 3161(h)(8)(A), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial;
- iv. Pursuant to Title 18 of the United States Code, Section 3161(h)(8)(B)(i), failure to grant this continuance would result in a miscarriage of justice;

WHEREFORE, on this 16 day of May, 2008,

IT IS ORDERED that trial in this matter is continued from May 19, 2008 to July 21, 2008;

IT IS FURTHER ORDERED that the period from May 19, 2008 to July 21, 2008, inclusive, shall be excludable in computing time under the Speedy Trial Act of 1974, pursuant to Title 18, United States Code, Section 3161(h)(8);


IT IS FURTHER ORDERD that:

Defense motions are due June 9, 2008.

Responses are due June 23, 2008

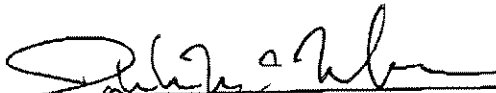
The motions shall be heard June 30, 2008.

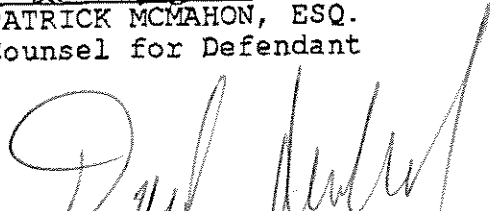
Nothing in this order shall preclude a finding that additional periods of time are excludable.



HON. DENNIS M. CAVANAUGH
United States District Judge

Consented to by:



PATRICK MCMAHON, ESQ.
Counsel for Defendant

DAVID E. MALAGOLD
Assistant United States Attorney